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News and Legislation Relating to Employment and Background Checks

News and Federal Legislation:

Background Checks

- On March 16th, the Transportation Security Administration published a notice and request for comments in the *Federal Register* (75 FR 12559) on requirements for aircraft operators to maintain and update records to ensure compliance with security provisions, including procedures for flight crew members and employees with unescorted access to secure areas or who perform screening, checked baggage or cargo functions submit to and receive a criminal history background checks. Comments may be submitted through May 17th.
(<http://www.gpo.gov:80/fdsys/pkg/FR-2010-03-16/pdf/2010-5732.pdf>)
- On March 17th, the National Crime Prevention and Privacy Compact Council published a notice in the *Federal Register* (75 FR 12803) that calls for the establishment of a process for initiating noncriminal justice criminal history background checks during times of emergencies and disasters under the authority of the Fingerprint Submission Requirements Rule.
(<http://www.gpo.gov:80/fdsys/pkg/FR-2010-03-17/pdf/2010-5708.pdf>)

News and State Legislation:

Background Checks

- On March 25th, the Maryland House passed a bill (H.B. 1152) that would authorize the Commissioner of Financial Regulation to conduct a criminal history background check on employees of the Commissioner.
(<http://mlis.state.md.us/2010rs/bills/hb/hb1152t.pdf>)
- On March 25th, Kansas enacted a bill (H.B. 2323) that would prohibit a person from knowingly operating an adult care home if any worker has been convicted of or has been adjudicated a juvenile offender of certain crimes as revealed through a criminal history background check.
(<http://www.kslegislature.org/bills/2010/2323.pdf>)
- On March 24th, the Kansas Senate passed a bill (S.B. 488) that would require criminal history background checks on any new employee of the office of vital statistics.
(<http://www.kslegislature.org/bills/2010/488.pdf>)
- On March 22nd, the Utah legislature cleared a bill (H.B. 275) for the governor's desk that would provide for the suspension of a license, registration, or certification as a real estate agent following a criminal history background check if certain violations are found.
(<http://le.utah.gov/~2010/bills/hbillint/hb0275.pdf>)

- On March 18th, Idaho enacted a bill (H.B. 483) that would require a fingerprint-based criminal history background check through the FBI and Idaho central criminal history databases on applicants for pharmacist licensure or registration at the applicant's expense.
(<http://www.legislature.idaho.gov/legislation/2010/H0483.pdf>)
- On March 16th, the Idaho legislature cleared a bill (H.B. 483) for the governor's desk that would require applicants for pharmacist licensure or registration to submit to a fingerprint-based criminal history background check through the FBI and Idaho central criminal history databases at the applicant's expense.
(<http://www.legislature.idaho.gov/legislation/2010/H0483.pdf>)
- On March 15th, Iowa enacted a bill (H.B. 2283) establishing that the states' national criminal history background check requirement only applies to licensed childcare centers and to child development home providers who voluntarily license. The bill also provides an authorization for the department of human services to adopt rules in the public interest specifying when the check is to be repeated.
(http://coolice.legis.state.ia.us/linc/HF2283_Enrolled.pdf)
- On March 12th, Washington enacted a bill (S.B. 6288) that allows counties, cities, and towns to request criminal history background checks for certain license applicants and licensees.
(<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Session%20Law%202010/6288.SL.pdf>)
- On March 12th, Washington enacted a bill (H.B. 2564) that allows criminal history background checks as part of the application process for escrow agent licensure.
(<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/House%20Passed%20Legislature/2564-S.PL.pdf>)
- On March 12th, the Illinois House passed a bill (H.B. 5411) that would allow private entities to conduct criminal history background checks for violent felony convictions as part of amendments made to the *Medical School Matriculant Criminal History Records Check Act*.
(<http://www.ilga.gov/legislation/96/HB/PDF/09600HB5411lv.pdf>)
- On March 11th, the Virginia legislature cleared a bill (H.B. 8) for the governor's desk that would require first time applicants for concealed weapons permits to undergo a criminal history background check.
(<http://leg1.state.va.us/cgi-bin/legp504.exe?101+ful+HB8ER+pdf>)
- On March 10th, the Utah Senate passed a bill (H.B. 74) that would require an individual to undergo a criminal history background check as a pre-placement provision for adoption.
(<http://le.utah.gov/~2010/bills/hbillamd/hb0074.pdf>)
- On March 8th, the Virginia Senate passed a bill (H.B. 903) that would allow threat assessment teams established at public institutions of higher education to receive health and criminal history records of students for the purposes of threat assessment and threat intervention.
(<http://leg1.state.va.us/cgi-bin/legp504.exe?101+ful+HB903S1+pdf>)
- On March 5th, the Utah Senate passed a bill (H.B. 178) that would raise the fee for access to a person's criminal history background information from \$10 to \$15.
(<http://le.utah.gov/~2010/bills/hbillint/hb0178.pdf>)
- On March 3rd, the Utah legislature cleared a bill (H.B. 106) for the governor's desk that would establish a pilot program for expedited criminal history background checks of certain human services providers.
(<http://le.utah.gov/~2010/bills/hbillint/hb0106.pdf>)